

THIS IS A TWO-SIDED DOCUMENT

 Adirondack Park Agency P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	APA Permit 2026-0111
	Date Issued: July 16, 2026
In the Matter of the Application of BRANDON NICHOLS & JESSICA NICHOLS Permittees for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 577	To the County Clerk: Please index this permit in the grantor index under the following names: 1. Brandon Nichols 2. Jessica Nichols

SUMMARY AND AUTHORIZATION

This permit authorizes a new commercial use (pizza shop/restaurant) in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Indian Lake, Hamilton County.

This authorization shall expire unless recorded in the Hamilton County Clerk's Office within 60 days of issuance of a signed and notarized permit. The signed and notarized permit shall be recorded in the names of all persons listed above and in the names of all owners of record of any portion of the project site on the recordation date.

The project shall not be undertaken or continued unless the project authorized herein is in existence within five years of the date the permit is recorded in the Hamilton County Clerk's Office. The Agency will consider the project in existence when the commercial use (pizza shop/restaurant) first opens for business.

The project shall be undertaken in compliance with all conditions stated herein. Failure to comply with this permit is a violation and may subject the permittee, successors, and assigns to civil penalties and other legal proceedings.

This permit does not convey any right to trespass upon the lands or interfere with the riparian rights of others in order to undertake the authorized project, nor does it authorize the impairment of any easement, right, title or interest in real or personal property.

Nothing contained in this permit shall be construed to satisfy any legal obligations of the permittee to comply with all applicable laws and regulations or to obtain any governmental approval or permit from any entity other than the Agency, whether federal, State, regional, or local.

PROJECT SITE

The project site is a 3.3-acre parcel of land located on both sides of NYS Route 28/30 in the Town of Indian Lake, Hamilton County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as a portion of Tax Map Section 56.017, Block 3, Parcel 11.100, and is described in a deed from Bushwood, LLC to Brandon Nichols & Jessica Nichols, dated March 31, 2026, and recorded April 23, 2026 in the Hamilton County Clerk's Office under Instrument Number 2026-476.

The project site is located within the designated Cedar River Recreational River Area.

The project site is improved by an existing structure last used more than five years ago as a golf pro shop, along with an on-site wastewater treatment system, a municipal water connection, and a detached garage.

The project site was created as "Lot 4" in a seven-lot subdivision as authorized by Agency Permit 2024-0140.

PROJECT DESCRIPTION

The project as conditionally approved herein involves establishment of a commercial use (pizza shop/restaurant) in the former Cedar River Golf Course Pro Shop building.

The project is shown on the following Project Plans:

- A three-sheet set of plans titled "Nichols Septic Improvements," prepared by North Woods Engineering, PLLC, last revised June 4, 2026 and received by the Agency on June 5, 2026 (Site Plans); and
- A single sheet site plan titled "Map Showing Subdivision of Property of Bushwood, LLC," prepared by Leifheit & Littlefield Land Surveying, PLLC, last revised on October 29, 2024 and received by the Agency on December 2, 2024 (P2024-0140 Subdivision Plan).

A reduced-scale copy of Sheet C10 of the Site Plans is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any new land use or development on Low Intensity Use lands within any designated Recreational River Area in the Adirondack Park.

Condition 13 of Agency Permit 2024-0140 requires a new or amended permit for establishment of any commercial use on the project site.

CONDITIONS

THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The project shall not be undertaken until this permit has been recorded in the Hamilton County Clerk's Office.
2. This permit is binding on the permittee, all present and future owners or lessees of the project site, and all persons undertaking all or a portion of the project, for as long as the commercial use continues on the site. Copies of this permit and the Project Plans shall be furnished by the permittee to all subsequent owners or lessees of the project site prior to sale or lease, and by the permittee and/or any subsequent owner or lessee to all persons undertaking any development activities authorized herein.
3. In addition to complying with all terms and conditions of this permit, all future activities on the project site shall be undertaken in compliance with the requirements of New York State's Adirondack Park Agency Act, Freshwater Wetlands Act, Wild, Scenic and Recreational Rivers System Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. This permit amends and supersedes Permit 2024-0140 in relation to the project site. The terms and conditions of Permit 2024-0140 shall no longer apply to the project site.
5. All deeds conveying all or a portion of the lands subject to this permit shall contain references to this permit as follows: "The lands conveyed are subject to Adirondack Park Agency Permit 2026-0111, issued July 16, 2026, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. This permit authorizes the establishment of a commercial use (pizza shop/restaurant) in the location shown and as depicted on the Site Plans. Any change to the location or other aspect of the commercial use shall require prior written Agency authorization.
7. Pursuant to 9 NYCRR § 577.4, the undertaking of any new land use or development not authorized herein on the project site will require a new or amended permit.
8. Agency Permit 2024-0140 authorized the establishment of a footpath between NYS Route 28/30 and the Cedar River across the project site. The footpath shall be no greater than 10 feet in width and shall have a surface comprised of natural vegetation, grass, or natural mulch. Any deed of conveyance for the project site shall contain an easement providing un-improved river access to the Cedar River for the benefit of Lots 1–5 authorized by Permit 2024-0140 and along the route shown on the Permit 2024-0140 Subdivision Plan.

9. If installed within five years of the date of issuance of this permit, the on-site wastewater treatment system shall be constructed in conformance with the location and design shown on the Site Plans. Construction of the system shall be supervised by a design professional (licensed engineer or registered architect). Within 30 days of complete system installation and prior to its utilization, the design professional shall provide written certification to the Agency that the system was built in compliance with the approved plans.

No on-site wastewater treatment system shall be installed on the project site more than five years after the date of issuance of this permit except pursuant to written authorization from the Agency.

10. When brought from off-site, all equipment, including but not limited to trucks, excavators, tractors, etc., and hand excavation tools such as shovels, rakes, and picks, to be used on the project site shall be clean and free of soil, mud, or other similar material. If washed on the project site, equipment shall be washed in one location to prevent the distribution of propagules among different wash sites. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
11. If the color of the existing structures are changed in the future, the exterior building materials, including roof, siding and trim, shall be a shade of green, grey, or brown.
12. Any new free-standing or building-mounted outdoor lights associated with the commercial use (pizza shop/restaurant) on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward NYS Route 28/30, the Cedar River, or adjoining property. Re-use of the existing exterior lights under the porch roof of the exiting building complies with this condition.
13. All signs associated with the commercial use (pizza shop/restaurant) on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3]. Replacement of the existing free-standing sign with a new sign in the same location and dimensions complies with this condition.
14. The sign providing historic interpretation and installed on the project site at the request of the NYS Office of Parks, Recreation and Historic Preservation shall remain on the site and be maintained.

CONCLUSIONS OF LAW

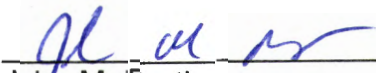
The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577. The Agency hereby finds that the project authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Indian Lake;
- b. will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park or upon the ability of the public to provide supporting facilities and services made necessary by the project;
- c. will be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- d. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- e. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

Dated: July 16th, 2026

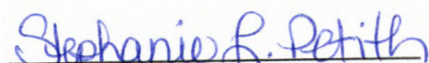
Ray Brook, New York

ADIRONDACK PARK AGENCY

By: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 16th day of July in the year 2026, before me, the undersigned, a Notary Public in and for said State personally appeared John M. Burth, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

STEPHANIE PETITH
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Essex County
Commission Expires April 15, 2029

